

ORDER  
OCCUPANCY AND USE RESTRICTIONS  
Clear Creek and Sulphur Ranger Districts  
Arapaho National Forest

BERTHOUD PASS SLEDDING AND TUBING CLOSURE

Pursuant to 36 Code of Federal Regulations (“C.F.R.”), § 261.50(a) the following act is prohibited within the area described below and hereafter referred to as the Restricted Area. The Restricted Area is historically known as the Berthoud Pass Ski Area, and is within the Arapaho National Forest, Sulphur and Clear Creek Ranger Districts, Grand and Clear Creek Counties, Colorado. The Restricted Area is further described as T. 3 S. R. 75 W. Sec. 10, and includes all National Forest System lands within one fourth of a mile from the center line, on both sides, of U.S. Highway 40, and within one fourth mile in both directions on U.S. Highway 40 from the point U.S. Highway 40 crosses the Continental Divide, excluding the roadbed of U.S. Highway 40. The Restricted Area also does not include the parking area at the summit of Berthoud Pass that is under easement to the Colorado Department of Transportation. The Restricted Area is shown on the attached map hereby incorporated into this Order as Exhibit A. This Order is necessary to protect public health and safety.

**PROHIBITED ACT:**

- Going into, or being upon, the Restricted Area (36 C.F.R. § 261.53(e)), specifically including, but not necessarily limited to persons using or transporting sleds, tubes, or similar devices.

**EXEMPTIONS:**

Pursuant to 36 C.F.R. § 261.50(e), the following persons are exempt from this order:

1. Persons hiking within the Restricted Area for access to National Forest System lands outside the exterior boundaries of the Restricted Area;
2. Persons using skis, snowboards or snowshoes;
3. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty;
4. Persons with a Forest Service permit specifically authorizing the otherwise prohibited act or omission.

This Order supersedes, rescinds and replaces Order # 10-07-2010-01 issued 12/17/2010.

This Order will be in effect yearly from the first snowfall of the season until all snow is melted from the Restricted Area and will be in effect when signed and shall remain in effect until rescinded.

Done at Fort Collins, Colorado this 10<sup>th</sup> day of December, 2012.

*/s/ Glenn P. Casamassa*

*December 10, 2012*

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GLENN P. CASAMASSA  
Forest Supervisor  
Arapaho and Roosevelt National Forest  
and Pawnee National Grasslands

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DATE

Violations of this regulation is punishable as a Class B misdemeanor, by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six (6) months, or both. (16 U.S.C. § 551, and 18, U.S.C. §§ 3559 and 3571)